IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

## LA.App..No. 1236 of 2000(D)

LAR.78/1988 OF THE SUBORDINATE JUDGE'S COURT,THRISSUR

APPELLANT: 2ND RESPONDENT:

THE THRISSUR MUNICIPALITY, THRISSUR, REPRESENTED BY THE MUNICIPAL SECRETARY, THRISSUR MUNICIPALITY.

BY ADVS. M/S.K.P.VIJAYAN, V.B.JINNAH, C.B.SUMA DEVI,SURESH SAMUEL & V.M.SYAM KUMAR

RESPONDENTS: CLAIMANTS & FIRST RESPONDENT:

1. C.M.JOSEPH (DIED), S/O.CHALISSERY MATHEW, NO.70, KERALA STATE HOUSING BOARD, PARAVATTANI, THRISSUR.
2. C.J.MATHEW, S/O.LATE C.M.JOSEPH, NO.70, KERALA STATE HOUSING BOARD, PARAVATTANI, THRISSUR.
3. C.J.GEORGE, S/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
4. C.J.JOHN, S/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
5. C.J.FRANCIS, S/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
6. C.J.PAUL, S/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
7. MERCY JOSEPH, D/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
8. LEELA JOSEPH, W/O.LATE C.M.JOSEPH, NO.70, -DO- -DO-
9. THE SPECIAL TAHSILDAR, (LA), THRISSUR MUNICIPALITY, THRISSUR.

GOVT. PLEADER SMT.LATHA THANKAPPAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**KURIAN JOSEPH & K.T. SANKARAN, JJ.**

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**L.A.A. NO. 1236 OF 2000**

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**Dated this the 29th day of March, 2007**

**JUDGMENT**

**Kurian Joseph, J.**

This appeal is filed against the judgment in L.A.R.No.78 of 1988, on the file of the Sub Court, Thrissur. The acquisition is for the purpose of formation of a road connecting Sakthan Thampuran Nagar to East Fort (Block No.II) in the Thrissur Municipality. It is seen from the judgment that the value has been fixed, on the basis of Ext.A8 judgment in L.A.R.No.81 of 1988, at the rate of Rs.8,000/- per cent, having found that the property acquired and the property covered by Ext.A8 judgment are similar and similarly situated. It is seen that the fixation made in Ext.A8 judgment has become final. Therefore, this appeal is dismissed.

**(KURIAN JOSEPH)**
**Judge**

**(K.T.SANKARAN)**
**Judge**

ahz/

**KURIAN JOSEPH&**
**K.T.SANKARAN, JJ.**

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**L.A.A.NO.1236 OF 2000**

**JUDGMENT**

29th March, 2007

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